

Filed: April 18, 2006
Staff: Trever Parker
Staff Report: May 8, 2006
Hearing Date: May 17, 2006
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2006-04

APPLICANT (S): Trinidad Museum Society

AGENT: NA

PROJECT LOCATION: Vacant lot behind the Chevron Station at the intersection of Main Street and Patricks Point Drive and 409 Ewing St.

PROJECT DESCRIPTION: Design Review and Coastal Development Permit to remove the old "Underwood House" at the end of Ewing St. and place it on the vacant lot behind the Chevron Station for use as a museum. Other improvements include street improvements and landscaping.

ASSESSOR'S PARCEL NUMBER: 042-051-34; 042-041-56

ZONING: PR – Public and Religious (pending Coastal Commission approval May 12, 2006)

GENERAL PLAN DESIGNATION: PR – Public and Religious (pending Coastal Commission approval May 12, 2006)

ENVIRONMENTAL REVIEW: A Mitigated Negative Declaration encompassing the development of this project (a 9,000 s.f. community center, including a museum, on the same lot) adopted by the Planning Commission on March 20, 2002 and the City Council in April 10, 2002. Removal of the house is exempt from CEQA per §15301(l) of the CEQA Guidelines exempting demolition and removal of certain structures, including single-family residences.

APPEAL STATUS:

Planning Commission action on a Coastal Development Permit, Design Review, a Variance or a Conditional Use Permit application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, the "demolition" or removal of the Underwood house **X** ~~is~~ is not appealable to the Coastal Commission per the requirements of Section 30603 of the Coastal Act, but the construction of a museum on the vacant lot behind the Chevron Station ~~is~~ **X** **is not** appealable to the Coastal Commission.

SITE CHARACTERISTICS:

The entire property is a large parcel, 3.2 acres near the entrance to town within the central business area and main commercial activity center. The property was the site of a proposed community center in 2002, which included the museum. A Negative Declaration for Environmental impacts was adopted for that project. The funding did not materialize for the large, multi-use community center, and the project was put on hold. Eventually, the property was donated to the Humboldt North Coast Land Trust by the Saunders for use for a City Park, Museum and the Trinidad Branch of the Humboldt County Library, and funding was pursued individually. The Museum Society has an easement with the Land Trust for the location of a building to house the museum. This area has been physically flagged on the property. The Land Trust also has an easement with the City for the location of a City Park. There is also room on the site to place a building to house the Trinidad Library in the future.

The lot is currently vacant. Surrounding land uses include a Chevron station and other commercial development to the south, Patricks Point Dr. and Hwy 101 to the east, a vacant Planned Development (mixed use) parcel to the west and a residence and the Trinidad Cemetery to the north and northwest. The project site is generally flat, except where the fill ends, it drops off substantially to the southwest. Except for low-growing weeds, the site is unvegetated. No trees, streams, wetlands or structures exist on the property. However, there is an Alquist-Priolo Fault Zone on the northern portion of the property that is unsuited for building placement due to geologic hazards. This area has been delineated by a geologist according to State standards, and the unbuildable area is shown on the site plan. Prior to the construction of Hwy 101, decades ago, there was a gully on the site that was subsequently filled with up to 18' of compacted soil during construction of the freeway and gas station. The only place on site suitable for a leachfield is on the northern portion where native soils still exist, and this area has been delineated as such. The site is close to the central portion of town, including public transportation, and within walking distance of the Trinidad Elementary School.

STAFF COMMENTS:

Design review (site plan) approval to place a commercial coach (mobile building) to use for the museum on this site was approved by the Planning Commission in 2004. Since

that time, the current owners of the “Underwood House”, located on Ewing Street, just north of the HSU Marine Lab, offered it to the Trinidad Museum Society for use as a museum as long as they move it. This house, which has stood empty and unmaintained for years, is one of the oldest houses remaining in Trinidad, and therefore ideal for housing a museum. A remodel and addition to the “Underwood House” was approved by the Planning Commission in 2001. The property owners never constructed the improvements, and would now prefer to build an entirely new house, and so donated it to the Museum Society.

The applicant has submitted a new site plan, which shows proposed improvements, as well as elevations of the restored “Underwood House”. Although topography is not shown on the site plan, the direction of drainage is noted; a detailed survey of the property, that includes topography, has been completed and is available in the file for review. Landscaping is not shown on the site plan, but will be integrated into the design. A condition of approval has been included that a landscaping plan be submitted and approved by the City Planner prior to final sign-off of the building permit(s). The property transfer from the Saunders to the Land Trust included a restriction on vegetation height, so views will not be blocked in the future. The project, including street improvements has been integrated with the City Park project and Gateway project.

Because the application documents were not all received at the same time, referrals were not sent to the Building Official, City Engineer or the County Health Department. The project will require a building permit(s) and the use of the State Historic Building Code for use as a public building. This Building Code provides for relaxation of standards and exceptions to current code requirements (such as accessibility) in order to maintain the integrity of historic structures. The historic nature of the structure is discussed further below. At the time building permits are applied for a drainage plan will have to be submitted to, and approved by, the City Engineer, along with the final designs for street improvements prior to construction. Although the street improvements shown on the plans are the current proposal, staff would like to leave some room for some modifications, such as the addition of Low Impact Development (LID) alternatives. A standard condition of approval has been included that all conditions of the City Engineer and Building Official must be met prior to building permit issuance and that any grading, drainage and street improvement requirements will be addressed in the building permit. The applicant has submitted a Leachfield Suitability and Design report for the proposed septic system. The proposed leachfield is shown on the site plans. A condition of approval has been included that requires proof of an approved Sewage Disposal Permit from the Humboldt County Division of Environmental Health at the time building permits are issued.

ZONING ORDINANCE/GENERAL PLAN CONSISTENCY

Zoning

The zoning for the subject property is in the process of being changed. The previous (and currently still official) zoning was C – Commercial. The Planning Commission and

City Council approved a rezone/redesignation of this property from C to PR – Public and Religious to accommodate the proposed Community Center in 2002. However, that approval was conditioned that it would not become final until a Local Coastal Plan Amendment was submitted and approved by the CA Coastal Commission in case the project fell through so the owners could retain their commercial property. The full community center project, which included new City offices, the library, the museum and a garden/park area never moved forward. As described above, a new arrangement was reached last year so that the current proposal (a separate Museum and City Park, with room for a Library in the future) could move forward. Therefore, the City submitted a Local Coastal Plan amendment application to change the Zoning Map and Land Use Map for this property from C – Commercial to PR – Public and Religious. That amendment is being heard by the Coastal Commission as this staff report is being prepared (Friday May 12). Coastal Commission staff recommended approval and do not anticipate any problems. The amendment should be certified and become final within the next month.

PR Zoning Regulations

The purpose of the PR Zone is to accommodate public and religious uses. The Zoning Ordinance (§17.48.010) states that: *“Any public and religious facility should be compatible with nearby uses and be located on streets which offer convenient access.”* The project site is consistent with this guideline, and is an ideal location for such a project. It is located near the main intersection and entrance to town. Nearby uses are mostly commercial. The site is large and within walking distance of Trinidad Elementary School. Much of the site is not developable for buildings because of topography, the Chevron Station leachfields and the Alquist-Priolo Fault Hazard Zone, so a City Park and native plant garden are ideal uses for this location. Public Parks, Museums and Libraries are all principally permitted uses in the PR Zone (§17.48.020).

There is no specific minimum lot area for the PR Zone other than what is needed to accommodate the use and septic system; the large, 3.2-acre project site meets this criteria. There is no maximum density. Minimum yards are front – 20', rear and side – 5', except when adjacent to another PR or C zone, then no side or rear yard is required. The proposed building site is well away from any property lines, and easily meets the yard requirements. The maximum height allowed is 25', although a greater height can be approved with a Use Permit. However, there is also a 20' max height restriction placed on the property by the previous owner when it was transferred to the Land Trust. The height of the proposed building as shown on the plans is approximately 17'. Other than the above requirements, the PR Zone has no other restrictions, but the project is still subject to Design Review approval and other Zoning Ordinance regulations.

General Description

The Underwood House, as it exists today is 1,556 s.f. with 300 s.f. of covered porches. A 468 s.f. addition will be made to the back of the house to accommodate the required windowless storage. The other major portion of this project are the proposed street improvements. Please note that the City Park will be reviewed separately, as will the

Library if proposed in the future. Although the three projects have been integrated for general planning purposes, only the Museum is being reviewed at this point. The street improvements have been designed to accommodate all three uses. Other proposed site improvements will consist of native landscaping and a new septic system with 100% reserve area on the north end of the lot. The landscaping has not been shown on the site plan. A condition of approval has been included that the applicant must submit a Landscape Plan to be approved by the City Planner prior to final sign-off on the building permit.

Street / Driveway Improvements

Entrance to the site will be provided from Main Street with a one-way driveway wrapping around behind the Chevron Station and exiting on to Patrick's Point Drive. The City has received funding to complete these improvements. The access way will encroach on the northwest corner of the Chevron property. However, this corner is not being utilized by the station and is outside of their fenced area. The Land Trust has obtained an easement to utilize that portion of the Chevron property. It is recommended that a Lot Line Adjustment be completed in the future to formalize this arrangement; however, this is not required. The improvements include large areas labeled as 'walkway' or 'plaza', and there is no indication as to what the surfacing material will consist of. Although it is not something that is addressed in the existing Zoning Ordinance, impermeable surfaces and stormwater runoff are of significant concern to the City. The design stage is the ideal time to incorporate Low Impact Development (LID) designs that minimize impermeable surface areas and decrease, slow and treat stormwater runoff. Staff recommends that the City investigate the opportunity to incorporate LIDs and include them wherever feasible. The Zoning Ordinance (§17.56.180.D) requires parking facilities of four or more spaces to be reviewed and approved by the City Engineer. A condition of approval has been included that requires City Engineer approval of the final street improvements plans at the time building permits are applied for.

Parking

The Zoning Ordinance (§ 17.56.180) does not include parking requirements for museums, libraries or parks. Although this particular project includes the review of the Museum portion of the overall project only, the street improvements must be considered in terms of all three proposed future uses. There is ample space onsite to provide required parking. Using current standards in the Eureka Zoning Ordinance (§155-115 et seq.) provides good guidelines. One space per 600 s.f, plus one space per every two employees are required for both museums and libraries. At 2,300 s.f., this would require 4 parking spaces based on square footage. The Trinidad Museum utilized volunteers rather than employees, but they still need a place to park. It is anticipated that not more than two volunteers would be working at a time, resulting in a requirement for 5 parking spaces. A total of 19 off-street parking spaces, including one handicapped space, are shown on the site plan. There is also room to provide for bus and R.V parking across from the parallel spaces on the north end of the driveway. It is not know at this time what size the library will be and there are no specific parking requirements for parks. It is assumed that the Library would have similar parking needs as the Museum. The Park

may receive more use, but there is also on-street parking provided on Patrick's Point Drive that can be utilized for park visitors. There appears to be ample parking provided on-site. The parking spaces provided meet the size specifications required by the zoning ordinance (8.5' x 18'). The dimensions of the parking/driveway aisles shown also meet the requirements of Zoning Ordinance §17.56.180.E.

Other

Because the site is flat, very little grading will be required; some soil amendments will be added to allow plant growth. Signage will be addressed at a later time and will need design review approval. Underground utilities will be provided to the proposed building from Main Street. Exterior materials and colors have not been finalized, but will be consistent with the existing nature of the structure.

The Trinidad General Plan and Zoning Ordinance protect importance public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. Because of the project's location, there is little potential for view impacts.

Historic Resources

The Trinidad General Plan also provides for the protection and consideration of historic resources. This house is mentioned in the General Plan as being of "historical interest." Policy 76 states: *"The design assistance committee should ensure that any proposed development does not detract from these historical sites."* A remodel and addition to this house, on its current site, were approved by the Planning Commission in 2001. The improvements were never completed and the property owners would like to build a completely new house, which would require the demolition of this one. As an alternative, they have offered the building to the Museum Society for its use as the new Trinidad Museum. The Museum Society has thoroughly research and documented the history of the site and the house. The house itself, and the Museum's plans for it, have been assessed by a local, historic preservation expert, who found the plans feasible and recommended certain actions to preserve the historic integrity of the structure. This information is all available for review in the files. Although moving the structure from its original site could be considered as affecting its historic significance, the history has been well-documented, and moving it would be preferable to completely demolishing it. Further, the longer it stands empty and unmaintained as it is now, the more deterioration and damage will occur. The house came close to being destroyed this last winter by the huge cypress trees that were blown down. The Museum Society feels that having, restoring and preserving one of the oldest houses in town for the use of a Trinidad Museum is an ideal situation; it will become part of the museum display itself. Future development of a library should be sensitive to this building's historic character.

SLOPE STABILITY:

The property where the proposed project is located is outside of any areas designated as unstable or questionable stability based on Plate 3 of the Trinidad General Plan. Best

management practices for erosion control during grading and construction activities will be dealt with through the building permit process.

ALQUIST PRIOLO ZONE:

As mentioned earlier, a portion of the property lies within a Special Study (Fault Rupture) Zone, as designated by the State Division of Mines and Geology under the Alquist-Priolo Earthquake Fault Zoning Act. The purpose of the Zone is to ensure that local development patterns do not create seismic hazards. According to the Alquist-Priolo Act, no buildings may be constructed within 50 feet of any active fault in the zone. There are two fault zones within Trinidad: the Trinidad Head fault zone and the Anderson Ranch fault zone.

Most of the project site falls within the Alquist-Priolo Special Study Zone; the Anderson Ranch fault runs through the northern portion of the property. A study to address fault rupture hazards was completed in April, 1988 by Busch Geotechnical Consultants entitled Results of an Alquist-Priolo-Mandated Study of the Saunders Property, a Site Crossed by a Bending Zone of Deformation Associated with the Trinidad Fault, Trinidad, California. This study concluded that most of the northern half of the site is unsuitable for human-occupied structures, because this is the area within 50' of the fault. Therefore this hazard area has been reserved for the City Park, landscaping, leachfield areas and non-human occupied structures. The hazard zone for the Anderson Ranch fault, as determined by the study, is shown on the site plan.

SEWAGE DISPOSAL:

The leachfield easement area for the museum (north edge) and the existing Chevron system (west edge) is shown on the site plan. Percolation and soils tests have been analyzed for the site. Initial testing has indicated that the easement area is suitable for a new system with enough area for both the primary leachfield and reserve area (Leachfield Suitability, New Trinidad Library and Museum; LACO Associates; April 22, 2002). The septic system will have to meet the standards of the Humboldt County Environmental Health Department and North Coast Regional Water Quality Control Board. A standard condition of approval has been included that the applicant must submit an approved septic system permit from the County Health Department prior to building permits being issued. The final design of the septic system should consider all three potential future uses.

LANDSCAPING AND FENCING:

No tree removal is proposed. Native trees and other landscaping will be planted, but will be maintained at less than 20' in height because of the Land Trust height easement. No fencing is proposed to be removed or added at this time. The landscaping has not been shown on the site plan. A condition of approval has been included that the applicant

must submit a Landscape Plan to be approved by the City Planner prior to final sign-off on the building permit.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project is located within the Coastal Zone and is a new structure, §17.60.030 of the Zoning Ordinance requires Design Review and View Protection Findings to be made as well as approval of a Coastal Development Permit. Application materials show the project location and include the site plan that shows the proposed improvements; elevations have also been provided. Recommended Design Review/View Preservation Findings are written in a manner to allow approval, without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or the structure proposed is obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: Because the site is flat, very little grading will be required; it will be the minimum necessary to accommodate the building.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project site is not in or adjacent to any open space areas.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: The house will be restored to historic conditions with original materials, and the building will become part of the Museum's displays. The applicant may have additional information as to the proposed colors available at the meeting.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: The area around the building is proposed to be landscaped. Part of the landscaping will be used to soften the visual impacts of the proposed building. Landscaping should also be provided around the driveway and parking areas as part of any LID designs.

- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No on-premise signs are proposed at this time.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: Underground utilities will be provided to the proposed building from Main Street.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are proposed as part of this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
- 1. Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.*
 - 2. Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.*
- Response: The proposed structure will be 2,300, including 300 s.f. of porches, which is well below the 4,000 s.f. maximum guideline for commercial type structures. The historic architectural character will add rural, rustic, casual nature to the main entrance to town area.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The project will not generally be visible from any beach, trail or open space area. It will be somewhat visible from portions of Trinidad Head, but will not stand out against existing development.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The proposed project is located on the north end of town and does not have the potential to block the public views listed.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone,*

or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction. Response: The proposed project will not block private views based on its location; there is a 20' maximum height on structures and vegetation in the lease with the North Coast Land Trust in order to protect the Saunders' views.

- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.
- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed project is not within 100 feet of the Tsurai Study Area, Holy Trinity Church or the Memorial Lighthouse. Although the building itself is not within 100' of the Cemetery, the lot on which it is located within 100' of the Trinidad Cemetery. This project will not significantly affect public views to or from the Cemetery. Because the building is located more than 100' from the Cemetery and it is historic itself, it will not crowd it or detract from its distinctiveness or subject it to hazards.

STAFF RECOMMENDATION

Based on the above analysis, the proposed project can be found to meet the Design Review / View Protection requirements, and sewage disposal requirements. Provisions of the Zoning Ordinance and General Plan can be met. If the Planning Commission agrees with staff's analysis, and the public does not bring up additional issues, the proposed motion might be similar to the following:

Based on the information submitted in the application included in the staff report and public testimony, I move to adopt the information and findings in this staff report and recommend approval of the project as conditioned below:

Alternative Motion for Denial

If the Commission does not agree with staff's analysis, or if the public presents evidence that conflicts with the findings contained in this staff report, the Commission may choose to deny the project. If the Commission does decide to deny the project, the denial should be based on specific findings that can not be made. The Commissioners should specifically state the reasons for denial and which finding(s) can not be made. A motion could be similar to the following:

Based on public testimony and information included in the application, I find that Design Review/View Protection Finding(s) "---" can not be made because ---, and I move to deny the project.

PROPOSED CONDITIONS

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk to place receipt in conditions compliance folder prior to building permits being issued.*
2. Based on the size and funding source(s) needed for this project, design review approval is for a two-year period starting at the effective date and expiring thereafter unless an extension is requested from the Planning Commission prior to that time. *Responsibility: City Clerk to verify prior to building permits being issued.*
3. Applicant shall demonstrate that the site can support a primary and reserve drainfield by obtaining an approved sewage disposal system permit from the Humboldt County Division of Environmental Health. *Responsibility: Building Official to verify prior to building permits being issued.*
4. Construction related activities are to occur in a manner that does not impact the integrity of the primary or reserve sewage disposal areas. The leachfield area shall be stacked and flagged to keep equipment off the area. Alternatively, a written description of techniques/timing to be utilized to protect the system will be required from the builder. If the existing system area is impacted by construction activities, an immediate Stop-Work Order will be placed on the project. The builder will be required to file a mitigation report for approval by the City and County Health Department prior to permitting additional work to occur. A Copy of the report is to go to the building official and into the conditions compliance folder. *Responsibility: Building Official to verify prior to building permits being issued and during construction.*
5. Recommended conditions of the City Building Official and City Engineer, shall be required to be met as part of the building permit application submittal. Building

permits should be considered in terms of the State Historic Building Code at the discretion of the City Building Official. Grading, drainage and street improvements will need to be submitted to, and approved by, the City Engineer at the time of building permit application. Final designs are encouraged to utilize Low Impact Development designs to the maximum extent feasible.

Responsibility: Building Official prior to building permits being issued.

6. Construction related activities are to occur in a manner that incorporates storm water runoff and erosion control measures in order to account for water quality considerations near the bluffs. Specific water quality goals include, but are not limited to:

- a. Limiting sediment loss resulting from construction
- b. Limiting the extent and duration of land disturbing activities
- c. Replacing vegetation as soon as possible
- d. Maintaining natural drainage conditions

Responsibility: Building Official to confirm at time building permits are issued.

7. Applicant to provide method for City to verify height measurements (such as a reference stake) before and during the roof framing inspection and upon project completion. The addition shall not exceed the maximum height shown on the approved plans (20'-0" as defined by the Trinidad Zoning Ordinance).

Responsibility: Building Official to confirm at time building permits are issued and during construction inspections.

8. Applicant shall provide risers and in-line filters as part of proposed septic system.

Responsibility: Building Official to confirm at time building permits are issued and during construction inspections.